



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG 19 2010

OFFICE OF
SOLID WASTE AND
EMERGENCY RESPONSE

Ms. Monique Harden
Co-Director & Attorney
Advocates for Environmental Human Rights
650 Poydras Street, Suite 2523
New Orleans, Louisiana 70130

Dear Ms. Harden:

We appreciate the phone call with you on July 21, 2010, to discuss your concerns about the U.S. Environmental Protection Agency's (EPA) role in the cleanup at the Hunters Point Naval Shipyard Superfund site. We are committed to transparency in our activities in overseeing Superfund cleanups, and I hope that this response addresses your concerns.

EPA's role in the shipyard is to oversee the cleanup conducted under CERCLA by the Navy and/or any subsequent landowner. You mentioned that you perceived that EPA had established a position with respect to the development plans for the site. To clarify, EPA does not have a position on the proposed development at the shipyard. EPA's role is to focus on the cleanup and to ensure that the property is safe for any proposed development. EPA Region 9 participated in the July 13 San Francisco Board of Supervisors meeting by invitation to answer questions directly related to the Superfund remediation and how that remediation might affect development. I will ensure that our role with respect to development plans at the site is communicated clearly to the Board of Supervisors.


At Hunters Point specifically, transfer will only happen after the nature and extent of the contamination is known and delineated, the community has been engaged in the remedial decision and transfer process, and the Navy and EPA have selected the remedy. If early transfer is approved, the Navy will complete required soil excavations prior to transfer. Post-transfer remediation would primarily involve completing long-term groundwater remediation projects; installing soil vapor barriers, if necessary, during building construction on certain sites; and placing the hardscape or soil covers within development areas. These are all typical activities for early transfer, and with proper oversight, will not pose a risk to the workers or to occupants of nearby property. EPA commits to actively engage the community during any early transfer decision making process and during all steps of the remediation.

If any parcels are transferred before the Navy completes the remediation, EPA retains full legal authority under CERCLA for ensuring cleanup work protects public health and the environment. EPA will continue providing direct oversight of the cleanup and will take the lead

for community involvement. EPA approves "early transfers" only after we are convinced that the remediation has progressed to a stage where development and the completion of remediation can be accomplished safely together.

I trust this letter clarifies EPA's role with respect to the oversight of the cleanup at Hunters Point. If you have further questions or concerns, please contact me, or you may call Mark Ripperda at (415) 972-3028 in EPA Region 9 regarding EPA's oversight activities at Hunters Point. I will ask Region 9 and John Reeder, Director of the Federal Facilities Restoration and Reuse Office here at Headquarters, to keep me apprised on a continuing basis of developments at the site.

Sincerely,



Mathy Stanislaus
Assistant Administrator